



UNITED STATES PATENT AND TRADEMARK OFFICE

2581

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No.

TEXAS INSTRUMENTS INCORPORATED
P O BOX 655474, M/S 3999
DALLAS, TX 75265

COPY MAILED

FEB 06 2004

OFFICE OF PETITIONS

In re Application of :
Oliver Charles Schuepbach :
Application No. 10/631,095 :
Filed: July 31, 2003 : Decision on Petition
Attorney Docket Number: :
TI-33782 :

This is a decision in response the Petition for Review of
Refusal to Grant Filing Date-37 CFR 1.181(f), filed November 24,
2003 (Certificate of Mailing dated November 18, 2003).

The petition is granted.

The application was filed on July 31, 2003. However, on October
28, 2003, the Office of Initial Patent Examination mailed a
Notice of Incomplete Provisional Application, noting that a
filing date had not been accorded the application because the
application had been deposited without drawings.

In response, Petitioner files the instant petition wherein
Petitioner avers that formal drawings were originally filed with
the application on July 31, 2003, and were received by this
Office as evidenced by the return-receipt postcard. In support,
Petitioner provides a copy of a return receipt postcard
acknowledging receipt of, *inter alia*, formal drawings on July
31, 2003.

A review of the return receipt postcard reveals that Petitioner
is correct. The postcard acknowledges receipt of formal
drawings on July 31, 2003. Petitioner has also re-submitted the
formal drawings with the instant petition.

Evidence of receipt of any correspondence filed in the Patent
and Trademark Office can be obtained by submitting a self-
addressed postcard properly itemizing and identifying the paper
or papers being filed. Upon receipt of the correspondence, the
Patent and Trademark Office will check the listing on the post
card against the papers submitted, making sure that all items
listed are present and will then stamp the postcard with an


Official date stamp and place the postcard in the outgoing mail. "A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all items listed thereon by the PTO." MPEP § 503.

The copy of the 5 sheets of formal drawings, supplied on November 24, 2003, will be used for examination purposes.

No petition fee is required and none has been charged.

The application will be returned to the Office of Initial Patent Examination for further processing as a nonprovisional application with a filing date of July 31, 2003, and an indication that 5 sheets of drawings were present on filing, using the 5 sheets of drawings filed on November 24, 2003.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 305-0014.


Derek L. Woods
Petitions Attorney
Office of Petitions